

REMARKS

Applicants request favorable reconsideration and allowance of the subject application in view of the preceding amendments and the following remarks.

In reviewing the subject application, Applicants note that the PTO-1449, which the Examiner has initialed indicating consideration of the document cited in the Information Disclosure Statement filed on October 14, 2003, is incomplete. Applicants request that the Examiner return a complete, initialed PTO-1449 form with the next communication.

At this time, Applicants also request favorable consideration of the Submission of Priority Document paper, which was filed on September 30, 2003, and submitted a certified copy of Japanese patent application number 2002-216938, filed July 25, 2002.

To place the application in better form, Applicants submit herewith a substitute specification, which includes a new abstract. For the Examiner's convenience, also provided is a marked-up copy of the original specification showing the portions thereof which are being changed. The substitute specification includes the same changes as are indicated in the marked-up copy. Applicants' undersigned attorney has reviewed the substitute specification and submits that the substitute specification contains no new matter.

Claims 21-45 are presented for consideration in lieu of claims 1-20, which have been canceled without prejudice or disclaimer. Claims 21, 29, 35, 40 and 44 are independent. Support for these claims can be found in the original application, as filed. Accordingly, no new matter has been added.

Applicants note with appreciation that claims 3-14 and 20 were indicated as containing allowable subject matter, and would be allowed if rewritten in independent form to include the recitations of their respective base and intervening claims. To expedite allowance of this application, original claims 1-4, 16 and 19 have been canceled without prejudice or disclaimer. Also, original claims 5, 6 and 7 have been rewritten in independent form as new claims 21, 29 and 35, respectively. In addition, original independent claim 11 has been rewritten as new independent claim 40, and claim 13 has been rewritten in independent form as new independent claim 44. Applicants submit that these changes render independent claims 21, 29, 35, 40 and 44 allowable at the outset. Such favorable indication is requested.

Applicants request favorable reconsideration and withdrawal of the rejection set forth in the above-noted Office Action.

Claims 1, 2 and 15-19 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,864,490 to Underwood et al. Applicants submit that the cited art does not teach or suggest many features of the present invention, as previously recited in these claims. Therefore, this rejection is respectfully traversed. Nevertheless, Applicants submit that independent claims 21, 29, 35, 40 and 44, as presented, amplify the distinctions between the present invention and the cited art.

In one aspect of the present invention, independent claim 21 recites an optical apparatus including an optical device arranged on an optical path extending from a light source to a predetermined position, an optical sensor, and a measuring device which measures an optical characteristic or a change in an optical characteristic of the optical device on the basis of an

output from the optical sensor. The optical sensor is arranged outside the optical path and senses light which is emitted from a second light source arranged outside the optical path and is reflected by the optical device.

In another aspect of the present invention, independent claim 29 recites an optical apparatus including an optical device arranged on an optical path extending from a light source to a predetermined position, an optical sensor, and a measuring device which measures an optical characteristic or a change in an optical characteristic of the optical device on the basis of an output from the optical sensor. The optical sensor is arranged outside the optical path and senses light which is emitted from a second light source arranged outside the optical path and is scattered by the optical device.

In a further aspect of the present invention, independent claim 35 recites an optical apparatus including an optical device arranged on an optical path extending from a light source to a predetermined position, an optical sensor, and a measuring device which measures an optical characteristic or a change in an optical characteristic of the optical device on the basis of an output from the optical sensor. The optical sensor is arranged outside the optical path and senses light which is emitted from a second light source arranged outside the optical path and is scattered by a substance generated from the light source and deposited on the optical device.

In still another aspect of the present invention, independent claim 40 recites an optical apparatus including an optical device arranged on an optical path extending from a light source to a predetermined position, a deposition amount sensor, and a measuring device which measures a deposition amount of a substance generated from the light source and deposited on the optical

device on the basis of an output from the deposition amount sensor. The deposition amount sensor is arranged outside the optical path.

In yet a further aspect of the present invention, independent claim 44 recites an optical apparatus including an optical device arranged on an optical path extending from a light source to a predetermined position, an optical sensor, and a measuring device which measures an optical characteristic or a change in an optical characteristic of the optical device on the basis of an output from the optical sensor. The optical sensor is arranged outside the optical path and senses light which is emitted from a second light source arranged outside the optical path and passes through the optical device.

For the reasons noted by the Examiner, Applicants submit that the cited art, namely, the Underwood et al. patent, does not teach or suggest such features of the present invention, as recited in independent claims 21, 29, 35, 40 and 44.

For the foregoing reasons, Applicants submit that the present invention, as recited in independent claims 21, 29, 35, 40 and 44, is patentably defined over the art of record.

Dependent claims 22-28, 30-34, 36-39, 41-43 and 45 also should be deemed allowable, in their own right, for defining other patentable features of the present invention in addition to those recited in their respective independent claims. Further individual consideration of these dependent claims is requested.


Inasmuch as all pending claims, namely, claims 21-45, should be deemed allowable, Applicants submit that the instant application is in condition for allowance. Favorable

reconsideration, withdrawal of the rejection set forth in the above-noted Office Action and an early Notice of Allowance are also requested.

Finally, Applicants request that the Examiner contact their undersigned representative should any matters be deemed outstanding precluding allowance of this application.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



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